

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

MICHAEL MILLER,  
GIOVANNI CARTIER A/K/A  
“RIQ” CARTIER,  
ERIC FARRINGTON III,  
MELVIN GOODE,  
KIRK EVANS, AND  
VLADIMIR MARCELLUS

Criminal Action No.

1:17-CR-00428-6-LMM-RGV

**Sentencing Memorandum**

The United States of America, by Byung J. Pak, United States Attorney, and Samir Kaushal, Assistant United States Attorney for the Northern District of Georgia, files this Sentencing Memorandum to provide its sentencing recommendation for Defendant Vladimir Marcellus.

Pursuant to the plea agreement, at sentencing, the government will move for (i) a one-level downward variance for expeditious entry of a guilty plea and (ii) a two-level downward departure under Section 5K1.1 of the United States Sentencing Guidelines for substantial assistance. If the Court grants these motions, Marcellus will have a total offense level of 11 and a custody guideline range of 8 to 14 months (Zone B), and the government will recommend that Marcellus receive a sentence of 36 months’ probation with 8 months’ to be served in home confinement. If the motions are not granted, the government will

recommend that Marcellus receive a sentence at the low end of the custody guideline range.<sup>1</sup>

Respectfully submitted,

BYUNG J. PAK  
*United States Attorney*

/s/ SAMIR KAUSHAL  
*Assistant United States Attorney*  
Georgia Bar No. 935285  
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<sup>1</sup> The plea agreement states the following regarding a sentencing recommendation:

If the adjusted guideline range falls under Zone A or B of the Sentencing Table, the Government and the Defendant agree that the Defendant should be sentenced to a three year term of probation, with the low end of the adjusted guideline range to be served as home confinement. Otherwise, the Government agrees to recommend that the Defendant be sentenced at the low end of the adjusted guideline range.

(Doc. 70-1 at 9.)

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**Certificate of Service**

The United States Attorney's Office served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

Timothy McCalep

*Counsel for Defendant Vladimir Marcellus*

July 5, 2018

/s/ SAMIR KAUSHAL

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SAMIR KAUSHAL

*Assistant United States Attorney*